

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DAVID FLEISHER, MICHAEL CLIME,	:	CIVIL NO. 2:12-CV-01326-TR
GARY IPPOLITO, ROBERT L.	:	
LIVINGSTON, DAVID TAILLON, on	:	
behalf of themselves and all others similarly	:	
situated,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
FIBER COMPOSITES, LLC,	:	
	:	
Defendant.	:	

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF  
CLASS SETTLEMENT, PROVISIONAL CERTIFICATION OF SETTLEMENT CLASS,  
AUTHORIZATION TO DISSEMINATE CLASS NOTICE, AND APPOINTMENT OF  
CLASS REPRESENTATIVES AND CLASS COUNSEL**

Plaintiffs David Fleisher, Michael Clime, Gary Ippolito, Robert L. Livingston, and David Taillon, individually and on behalf of all others similarly situated (collectively "Plaintiffs"), by and through their undersigned counsel and pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, hereby move for entry of an order preliminarily approving the proposed settlement with Defendant Fiber Composites, LLC ("Fiberon") memorialized in the Settlement Agreement that has been contemporaneously filed with the Court.

Plaintiffs also request that the Court grant provisional certification of the Settlement Class under Rule 23(b)(3) of the Federal Rules of Civil Procedure; appoint the named Plaintiffs as Class Representatives; appoint Simon B. Paris, Esq. and Charles J. Kocher, Esq. as Class Counsel; approve the Notice and notice program as set forth in the Settlement Agreement; and establish the case management deadlines set forth in the accompanying Proposed Order.

Fiberon does not oppose Plaintiffs' Motion.

In support of this Motion, Plaintiffs respectfully submit a Memorandum of Law in Support; the Declaration of Charles J. Kocher in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Settlement, Provisional Certification of Settlement Class, Authorization to Disseminate Class Notice, and Appointment of Class Representatives and Class Counsel; and all Exhibits thereto.

WHEREFORE, Plaintiffs respectfully request that this Court enter the proposed Order.

Dated: August 30, 2013

Respectfully submitted,  
**SALTZ, MONGELUZZI, BARRETT &  
BENDESKY, P.C.**

By S/ Charles J. Kocher

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**Attorneys for Plaintiffs and the Proposed  
Settlement Class**